



Order Filed on October 18, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**
Caption in compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

Angela C. Pattison, Esq.
21 Roszel Road
Princeton, NJ 08543
609-924-0808
Email: apattison@hillwallack.com
Attorneys for NewRez LLC d/b/a Shellpoint
Mortgage Servicing

In Re:

David Buenano-Suarez and
Luisa Santos-Buenano,

Debtors.

Case No. 18-27154

Chapter 13

Hearing Date: October 18, 2023

Judge: Christine M. Gravelle

ORDER RESOLVING OBJECTION TO CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: October 18, 2023

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page | 2

Debtor(s): David Buenano-Suarez and Luisa Santos-Buenano

Case No: 18-27154

Caption: Order Resolving Objection to Certification of Default

Movant: NewRez LLC d/b/a Shellpoint Mortgage Servicing

Movant's Counsel: Hill Wallack LLP

Debtor's Counsel: James J. Cerbone, Esq

Property Involved ("Collateral"): 501 Oak Street Lakehurst, NJ 08733

Relief sought:

- ✓ **Certification of Default**
 - Motion to Dismiss
 - Motion for Prospective Relief to prevent imposition of Automatic Stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** as follows:

1. Status of post-petition arrearages:

- The Debtor is overdue for **5** months, from **June 1, 2023** to **October 1, 2023**.
- The Debtor is overdue for **3** payments at **\$1,266.07** per month.
- The Debtor is overdue for **2** payments at **\$1,298.20** per month.
- Less Funds held in debtor(s) suspense **\$824.09**.

Total Arrearages Due through October 31, 2023 is \$5,570.52.

2. Debtor must cure all post-petition arrearages as follows:

- Lumpsum payment shall be made in the amount of **\$5,570.52**. Payment shall be made no later than **December 18, 2023**.
- Beginning on **November 1, 2023**, regular monthly mortgage payments shall continue to be made in the amount **\$1,298.20** (subject to change).

3. Payments to the Secured Creditor shall be made to the following address(es):

Page | 3

Debtor(s): David Buenano-Suarez and Luisa Santos-Buenano

Case No: 18-27154

Caption: Order Resolving Objection to Certification of Default

✓ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Bankruptcy Department
P.O. Box 10826
Greenville, SC 29603-0826

✓ Immediate payment: Same as above

4. In the event of Default:

If the Debtors fail to make a lumpsum payment by the date it is due or any regular monthly payments within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorney's fees of **\$200.00** expended in relation to the Certification of Default. The fees and costs are payable through the Chapter 13 plan.